

Certificate of Mailing

"Certificate of Express Mail" mailing label number EV 332 010 524 US. I hereby certify that this document and referenced attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, addressed to: Mail Stop: Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 12, 2009.

By: _____

Printed: Lyza Firmliar

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Bandman et al.**

Title: **TWO NOVEL HUMAN NSP-LIKE PROTEINS**

Serial No.: **To Be Assigned**

Filing Date:

Herewith

Examiner: **To Be Assigned**

Group Art Unit:

To Be Assigned

Mail Stop: Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants wish to call to the attention of the Examiner the enclosed "List of References Cited by Applicants." The right is reserved to antedate any item in accordance with standard procedure.

Applicants respectfully submit under 37 C.F.R. 1.98(3)(d) that copies of the references are not included herein as copies were previously cited by or submitted to the Office in parent application Serial No. 09/228,213, filed January 11, 1999 and in parent application Serial No. 08/700,607, filed August 12, 1996, from which we are claiming priority under 35 U.S.C. 120.

Citation of the documents is not to be construed as an admission that the documents are necessarily prior art with respect to the instant invention. This submission is understood to complement the results of the Examiner's own independent search. Citation of the documents shall not be construed as a representation that a search has been made or that the cited items are inclusive of all the relevant and material citations that may be available publicly. Any NCBI report included herein may not have an accurate date for prior art purposes. Some of the documents may have markings thereon. No significance is meant to be attached to the markings.

Applicants respectfully request that the cited documents be considered by the Examiner and that an initialed copy of the List of References Cited by Applicants be returned to Applicants.

Docket No.: PF-0114-2 DIV

It is believed that this disclosure complies with 37 CFR §§ 1.56, 1.97 and 1.98 and the Manual of Patent Examining Procedures § 609. If for some reason the Examiner considers otherwise, please telephone the undersigned.

Applicants believe that no fee is due with this paper. However, if the Commissioner determines that a fee is necessary, the Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 09-0108.

If there are any questions regarding the above, the Examiner is invited to call the undersigned.

Respectfully submitted,

INCYTE CORPORATION

Date: 12 September 2003



Cathleen M. Rocco

Reg. No. 46,172

Direct Dial Telephone: (650) 845-4587

Customer No.: 27904
3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555
Fax: (650) 845-4166

U.S. Department of Commerce, Patent and Trademark Office					Atty Docket No.		Serial No.	
					PF-0114-2 DIV		To Be Assigned	
LIST OF REFERENCES CITED BY APPLICANTS					Applicants			
					Bandman et al.			
(Use several sheets if necessary)					Filing Date		Group	
					Herewith			
U.S. Patent Documents								
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
Foreign Patent Documents								
		Document	Date	Country	Class	Subclass	Translation	
							Yes	No
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
	1	van de Velde, H.J., et al., "NSP-encoded reticulons, neuroendocrine proteins of a novel gene family associated with membranes of the endoplasmic reticulum" <u>J Cell Sci</u> 107:2403-2416 (1994)						
	2	van de Velde, H.J., et al., "Molecular analysis of expression in rat brain of NSP-A, a novel neuroendocrine-specific protein of the endoplasmic reticulum" <u>Brain Res. Mol. Brain Res.</u> 23:81-92 (1994)						
	3	Roebroek, A.J., et al., "Cloning and expression of alternative transcripts of a novel neuroendocrine-specific gene and identification of its 135-kDa translational product" <u>J Biol Chem</u> 268:13429-47 (1993)						
	4	Wieczorek, D.F., et al., "Developmentally regulated cDNA expressed exclusively in neural tissue" <u>Brain Res. Mol. Brain Res.</u> 10:33-41 (1991)						
	5	Takeda, J., et al., "A molecular inventory of human pancreatic islets: sequence analysis of 1000 cDNA clones" <u>Hum Mol Genet</u> 2:1793-8 (1993)						
	6	Martin-Gallardo, A., et al., "Automated DNA sequencing and analysis of 106 kilobases from human chromosome 19q13.3" <u>Nat Genet</u> 1:34-9 (1992)						
	7	Senden, N.H., et al., "Subcellular localization and supramolecular organization of neuroendocrine-specific protein B (NSP-B) in small cell lung cancer" <u>Eur. J. Cell Biol.</u> 65:341-53 (1994)						
	8	Jackson, M.R., et al., "Retrieval of transmembrane proteins to the endoplasmic reticulum" <u>J Cell Biol</u> 121:317-33 (1993)						
Examiner				Date Considered				
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.</p>								

U.S. Department of Commerce, Patent and Trademark Office					Atty Docket No.		Serial No.	
					PF-0114-2 DIV		To Be Assigned	
LIST OF REFERENCES CITED BY APPLICANTS					Applicants			
(Use several sheets if necessary)					Bandman et al.			
					Filing Date		Group	
					Herewith			
U.S. Patent Documents								
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
Foreign Patent Documents								
							Translation	
		Document	Date	Country	Class	Subclass	Yes	No
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
	9	Collard, J.F., et al. "Defective axonal transport in a transgenic mouse model of amyotrophic lateral sclerosis" <u>Nature</u> 375:61-4 (1995)						
	10	Mourelatos, Z., et al., "The Golgi apparatus of spinal cord motor neurons in transgenic mice expressing mutant Cu,Zn superoxide dismutase becomes fragmented in early, preclinical stages of the disease" <u>Proc. Natl. Acad. Sci. U.S.A.</u> 93:5472-5477 (1996)						
	11	van de Velde, H.J., et al., "NSP-encoded reticulons are neuroendocrine markers of a novel category in human lung cancer diagnosis" <u>Cancer Res.</u> 54:4769-76 (1994)						
	12	Senden, N.H., et al., "Cluster-10 lung-cancer antibodies recognize NSPs, novel neuro-endocrine proteins associated with membranes of the endoplasmic reticulum" <u>Int J Cancer Suppl</u> 8:84-8 (1994)						
	13	Waller et al. (GI 307307), GenBank Sequence Database (Accession U09405), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland 20894 (3 March 1993)						
	14	Waller et al. (GI 307309), GenBank Sequence Database (Accession U09405), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland 20894 (7 January 1995)						
	15	Waller et al. (GI 307311), GenBank Sequence Database (Accession U09405), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland 20894 (7 January 1995)						
	16	Waller et al. (GI 281046), GenBank Sequence Database (Accession U09405), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland 20894 (7 January 1995)						
Examiner			Date Considered					
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, Draw line through citation of not in conformance and not considered. Include copy of this form with your communication to applicant.</p>								

U.S. Department of Commerce, Patent and Trademark Office				Atty Docket No.		Serial No.	
				PF-0114-2 DIV		To Be Assigned	
LIST OF REFERENCES CITED BY APPLICANTS				Applicants			
(Use several sheets if necessary)				Bandman et al.			
				Filing Date		Group	
				Herewith			
U.S. Patent Documents							
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
Foreign Patent Documents							
						Translation	
		Document	Date	Country	Class	Subclass	Yes No
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	17	Rudinger, J., <u>Peptide Hormones</u> , J.A. Parsons, Univeristy Park Press, Baltimore, pp. 1-7 (1976)					
	18	Hillier, L. et al., (GI 834597) GenBank Sequence Database (Accession R62718), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland, 20894 human clone 138831 (submitted 5/26/95)					
	19	Hillier, L. et al., (GI 777057) GenBank Sequence Database (Accession R22276), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland, 20894 human clone 130873 (sumbitted 4/18/95)					
	20	Bell, G.I. et al., (GI 391043) GenBank Sequence Database (Accession T10889), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland, 20894 human clone hbc043 (submitted 11/29/93)					
	21	Hillier, L. et al., (GI 1331743) GenBank Sequence Database (Accession W47036), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland, 20894 (28 May 1996)					
	22	Hillier, L. et al., (GI 982083) GenBank Sequence Database (Accession R96423), National Centwer for Biotechnology Information, National Library of Medicine, Bethesda, Maryland 20894 (01 October 1995)					
	23	Hillier, L. et al., (GI 1137763) GenBank Sequence Database (Accession N23613), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland, 20894 (29 December 1995)					
	24	Hillier, L. et al., (GI 1377671) GenBank Sequence Database (Accession W68781), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland, 20894 (16 June 1996)					
Examiner			Date Considered				
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, Draw line through citation of not in conformance and not considered. Include copy of this form with your communication to applicant.</p>							